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DATE FILED: 10-24-2012

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO INC. SECURITIES LITIGATION

:  
Case No. 07-md-1902 (JSR)  
:

-----X  
This Document Relates to:

-----X  
KENNETH M. KRYS, *et al.*

:  
Case No. 10-cv-3594 (JSR)  
:

Plaintiffs,

-against-

DEUTSCHE BANK SECURITIES INC., *et al.*,

Defendants.  
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**MOTION FOR *PRO HAC VICE* ADMISSION OF THOMAS A. GILSON**

Pursuant to Local Civil Rule 1.3(c), undersigned counsel, a member in good standing of the bar of this Court, respectfully moves for an Order allowing the admission *pro hac vice* of:

Thomas A. Gilson  
Beus Gilbert PLLC  
4800 North Scottsdale Road, Suite 6000  
Scottsdale, Arizona 85251  
Tel. (480) 429-3000  
Fax (480) 429-3100  
Email: [tgilson@beusgilbert.com](mailto:tgilson@beusgilbert.com)

Mr. Gilson is a member in good standing of the bar of the State of Arizona. There are no pending disciplinary proceedings against Mr. Gilson in state or federal court. This Motion is based on the accompanying affirmation of David Molton and affidavit of Thomas A. Gilson and Certificate of Good Standing from the bar of the State of Arizona. A proposed Order is attached hereto.

Dated: New York, New York  
September 19, 2012

Respectfully submitted,

By 

David J. Molton

Brown Rudnick LLP

Seven Times Square

New York, New York 10036

Telephone: (212) 209-4800

Facsimile: (212) 209-4801

[dmolton@brownrudnick.com](mailto:dmolton@brownrudnick.com)

*Co-Counsel to Plaintiffs*

UNITED STATES DISTRICT COURT  
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	:	
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**AFFIRMATION OF DAVID MOLTON IN SUPPORT OF  
MOTION FOR ADMISSION OF COUNSEL *PRO HAC VICE***

DAVID MOLTON declares as follows:

1. I am a partner of Brown Rudnick LLP, Seven Times Square, New York, New York 10036, co-counsel for plaintiffs Kenneth M. Kryes and Margot MacInnis as Joint Official Liquidators, Kenneth M. Kryes and Margot MacInnis, as assignees of claims, and The Harbour Trust Co. Ltd. as Trustee of the SPhinX Trust ("Plaintiffs"), in the above-captioned action.
2. I am a member in good standing of the bar of the State of New York and of the bar of this Court.
3. I make this affirmation in support of the application of Thomas A. Gilson, Esq. for admission to the bar of this Court *pro hac vice*.
4. An original affidavit from Mr. Gilson in support of his application for admission to the bar of this Court *pro hac vice* has also been filed with the Court.

5. I will be associated with Mr. Gilson in the prosecution of this matter, and I or another member or associate of Brown Rudnick LLP will file papers, enter appearances, and sign

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Case No. 10-cv-3594 (JSR)

Plaintiffs,

-against-

DEUTSCHE BANK SECURITIES INC., *et al.*,

Defendants.

**AFFIDAVIT OF THOMAS A. GILSON IN SUPPORT OF**  
**MOTION FOR ADMISSION *PRO HAC VICE***

STATE OF ARIZONA            )  
                                          ) ss.:  
COUNTY OF MARICOPA    )

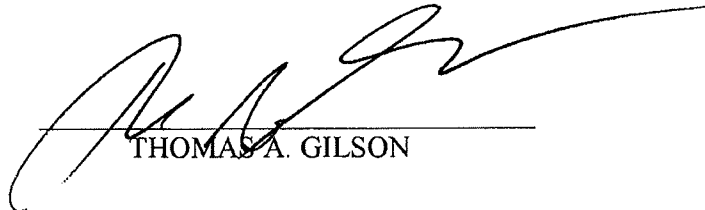
Thomas A. Gilson, being duly sworn, deposes and says:

1. I am an associate at the law firm of Beus Gilbert PLLC. I am eligible to practice and am a member in good standing of the bar of the State of Arizona. A Certificate of Good Standing from the bar of the State of Arizona is appended hereto. I have not been suspended or disbarred in any court, and am a member in good standing of every jurisdiction in which I have been admitted to practice.

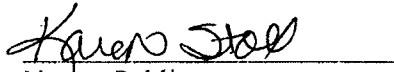
2. Plaintiffs Kenneth M. Kryz and Margot MacInnis as Joint Official Liquidators, Kenneth M. Kryz and Margot MacInnis, as assignees of claims, and The Harbour Trust Co. Ltd. as Trustee of the SPhinX Trust ( "Plaintiffs"), have requested to be represented by me.

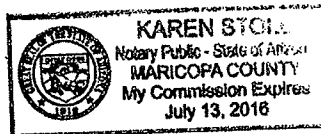
3. I understand that I am charged with knowing and complying with the Rules of this Court, including disciplinary rules, and with paying all required fees.

Based on the foregoing, I respectfully request admission to this Court for the purpose of appearing, arguing, and if necessary, trying the case on behalf of Plaintiffs.

  
THOMAS A. GILSON

Sworn to before me  
this 18<sup>th</sup> day of September 2012

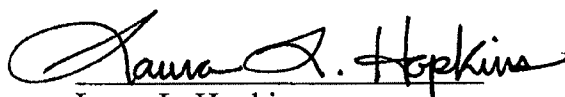
  
Notary Public



CERTIFICATE OF GOOD STANDING  
ISSUED BY THE DISCIPLINARY CLERK  
FOR AND ON BEHALF OF  
THE SUPREME COURT OF ARIZONA

The Disciplinary Clerk pursuant to Rule 74, Rules of the Supreme Court of Arizona, hereby certifies that according to the records of the State Bar, **THOMAS ANDREW GILSON** was duly admitted to practice as an attorney and counselor at law in all courts of Arizona by the Supreme Court of Arizona on December 16, 2003 and is now, as of the date of this Certificate, an active member of the State Bar of Arizona in good standing.

Given under the seal of the Disciplinary  
Clerk of the Supreme Court of Arizona  
this August 31, 2012.

A handwritten signature in black ink, reading "Laura L. Hopkins". The signature is fluid and cursive, with the first name "Laura" and last name "Hopkins" clearly legible.

Laura L. Hopkins  
Disciplinary Clerk

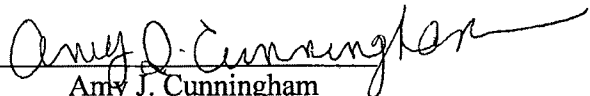
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**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NEW YORK )

1. Amy J. Cunningham, being duly sworn, deposes and says: I am not a party to the within action, am over 18 years of age and am an employee of Brown Rudnick LLP, Seven Times Square, New York, New York 10036.
2. On the 19<sup>th</sup> day of September, 2012, I caused true and correct copies of (1) Motion for *Pro Hac Vice* Admission of Thomas A. Gilson, (2) Affirmation of David Molton in Support of Motion for Admission of Counsel *Pro Hac Vice*, (3) Affidavit of Thomas A. Gilson in Support of Motion for Admission *Pro Hac Vice* and (4) [Proposed] Order for Admission *Pro Hac Vice* of Thomas A. Gilson, to be served upon all counsel-of-record in the above-captioned matters by email at WHRefcoKrysAll@wilmerhale.com.

  
Amy J. Cunningham

Sworn to before me this  
17<sup>th</sup> day of September, 2012.

  
Notary Public

**CHRISTOPHER M. LAU KAMG**  
Notary Public, State of New York  
No. 01LA6138897  
Qualified in Kings County  
Commission Expires December 27, 2013